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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 MICHAEL R. MYERS,

9 Plaintiff,

10 v.

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12 GEORGE W. BUSH, *et al.*,

13 Defendants.

CASE NO. C09-0031RSL

ORDER OF DISMISSAL

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15 On January 8, 2009, plaintiff filed a Civil Rights Complaint Under 42
16 U.S.C. § 1983. Dkt. # 1. The complaint did not inform any of the numerous defendants
17 of the basis of the claim asserted against him or her. Plaintiff was ordered to amend his
18 complaint to “clearly and concisely explain[] how each defendant is alleged to have
19 violated plaintiff’s legal rights.” Dkt. # 8 at 5.

20 On February 23, 2009, plaintiff timely proposed an amended complaint.
21 After painstakingly comparing the original complaint to the proposed pleading, the
22 Court found that plaintiff diary-like factual statement was still confusing and that he had
23 failed to assert, much less allege facts plausibly suggesting, that the recorded activities
24 were unlawful. Plaintiff was given another opportunity to amend his complaint. The
25 Court informed plaintiff that his “factual allegations against a defendant must be enough
26 to show that he has more than a speculative right to relief against him or her: plaintiff

1 must allege plausible grounds to infer that defendant's conduct was actionable." Dkt.
2 # 18 (citing Twombly, 127 S. Ct. at 1965).

3 Plaintiff submitted a third proposed complaint on April 8, 2009. Although
4 plaintiff restructured his complaint so that the factual allegations relating to each
5 defendant are separately stated, the case cannot proceed. Plaintiff has failed to identify
6 the legal claims asserted against some of the defendants (such as Boeing and the Port of
7 Seattle Police), has asserted facts regarding entities that are not named as defendants
8 (such as the U.S. Marshal Service), and has ultimately failed to plead "allegations
9 plausibly suggesting (not merely consistent with)" a grand conspiracy to spy on and
10 harass plaintiff. Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 557 (2007). The events
11 recited in the proposed complaint are neither illegal in and of themselves nor suggestive
12 of an unlawful conspiracy to harm plaintiff. Plaintiff's allegations do not "possess
13 enough heft to show that the pleader is entitled to relief," as required by Fed. R. Civ. P.
14 8(a)(2). Id.

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16 For all of the foregoing reasons, the above-captioned matter is hereby
17 DISMISSED.

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19 Dated this 4th day of June, 2009.

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21 Robert S. Lasnik
22 United States District Judge
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